

# Fred Hampton - it's 'justified'

by LIBERATION News Service

*"The coroner's jury's verdict speaks for itself, it is recognition - by an independent, objective agency - of the truthfulness of our police officers account of the events of Dec. 4."*

- State's Attorney Edward V. Hanrahan

*"...a well-rehearsed theatrical performance designed to justify excessive police conduct in killing and maiming members of the Black Panther Party."*

- James D. Montgomery, lawyer for the Illinois chapter Black Panther Party

*"We got a bad deal. That Gerber guy did everything except pull the trigger."*

- Mrs. Iberia Hampton, mother of slain leader Fred Hampton

CHICAGO (LNS) - Smug. Bland. Blind. The special Coroner's Jury convened to investigate the killing of Illinois Black Panther leader Fred Hampton and Mark Clark, another Panther, by police gunfire came out with a verdict on January 21, after five hours of deliberation.

"Certain city of Chicago policemen...in execution of a search warrant...did then and there use firearms which they reasonably believed to be necessary to prevent death or grave bodily harm..."

It is almost impossible to avoid feelings of indignation, shock, pure rage. You knew that this was coming from the day the jury was first called. But the case was too clear. From the time of the killing, the attitude of the

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## Hampton

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establishment press to the police account ranged from skepticism to open sarcasm. The jurors would have to see the holes in the official version. They would have to note what thousands of people had observed - that there were no signs of any bullets fired in the direction of the doors through which the police had entered Hampton's apartment, clusters of bullet holes around the places where the Panthers had lain, and stood, and two of them had died. They would have to...

They sat there - six "blue-ribbon" investigators. They sat there for 12 days and heard 14 police officers and assorted state "experts" shuffle, stack and deal a marked deck of lies and contradictions.

These blue ribbon men. This independent, objective agency.

Martin S. Gerber, 62-year-old bankruptcy attorney, presiding. If you saw the man on the street, if you overheard him talking on the subway, you would probably laugh. He wears suits of the same cut as those worn by Richard J. Daley. He greets his sudden prominence with a ponderous display of colloquialism. He calls for lunch hour by saying, "I think this would be a propitious moment for all of us to go out and put on the feedbag." He finds murders justifiable. "...everything except pull the trigger."

Fred Hampton and Mark Clark were killed during the pre-dawn hours of December 4.

Sgt. Daniel Groth is the man who led the raid on that apartment at 2337 West Monroe where Hampton and Clark were killed. In five days of testimony at the inquest, Groth revealed himself as either a man with no memory whatsoever or a pathetically bad liar.

On December 10, Groth told the press: "We didn't take tear gas because of the specific nature of our mission and the fact that we'd have the element of surprise on our side. Under the law we had to enter that flat and serve the warrant for a search. We couldn't just lob tear gas in there and charge."

On January 8, he had two different reasons for not using teargas:

Gerber: Did you think of using teargas?

Groth: No, sir.

Gerber: Why not?

Groth: Didn't see any need for it, sir.

And a few minutes later.

Gerber: Why didn't you take teargas to subdue resistance?

Groth: There was no teargas available to us at that time.

Groth also testified on January 8 that the first shot fired in the raid was fired by Brenda Harris, an occupant of the apartment. Groth said that this shot was fired simultaneous to his entering the apartment and it "lit up her face." At that point he fired two shots in her direction, he said.

By January 12, Groth had changed his mind. At a visit to the apartment 13 days after the raid, Groth said on the witness stand that "we discussed who we thought had fired the first shot...it was my original contention that

Brenda Harris had...I now feel that Mark Clark fired the first shot...through the door, and the shot lodged in the hallway."

This was Groth's most interesting and revealing change in testimony. The day after the raid, he was very definite that it was "a girl [presumably Brenda Harris] on a bed holding a shotgun" who initiated a "hail of gunfire" that met policemen as they came through the door and erupted into a "raging gunbattle" (in which, by Groth's most recent testimony, the occupants of the apartment fired a total of five shots without managing to hit anyone).

The problems with the new account of things are numerous. The alleged shot which allegedly lodged in the hallway managed to do so without leaving any traces in the hallway itself. "Expert" in residence John M. Sadunas, a firearms examiner for the police department, testified that the police had not found the slugs or pellets from any of the five shots the Panthers are supposed to have fired.

But the advantages of the new story are also obvious. Mark Clark is dead; and dead men tell no tales.

Groth's further testimony bristles with marks of inconsistency, incompetence and outright stupidity. According to Groth, none of the guns confiscated from the apartment were ever checked for fingerprints. At one point in his testimony, Gerber asked Groth a complex question to which he replied, "No." Gerber, not understanding which part of his question was being answered, asked, "No what?" Groth pondered for a moment, then replied, "No, SIR!"

Like Gerber, Groth is a man who could be humorous — except for the leading role he played in the attack. At Fred Hampton's funeral, SCLC leader Ralph Abernathy declared that it was an attack in which "The black community is the target, and the Black Panther Party is the bullseye." This statement was substantiated during the testimony of a black plainclothesman who stood outside during the raid. Lynwood Harris said that he was afraid of being mistaken for a "citizen" by the other police called to the building.

But the faith of our blue-ribbon citizens is not shaken. They are wise men, perceptive men. Two lawyers, two doctors, a social science professor, and a retired railroad car porter. They can render truth out of falsehood and ignore the fact that no witnesses testified on behalf of the Panthers because they have to preserve their case for the County Grand Jury which is contemplating attempted

murder indictments against the seven survivors of the raid.

"Rotten people, the whole bunch is rotten people," says Iberia Hampton. And she is right, as everyone should have known long before she said it. "They're no good." And it's true. They were well chosen. Despite a law requiring that all members of a coroner's jury come from the vicinity of the place of death, the government was taking no chances. None of these men come from the community to which Fred Hampton and his fellow Panthers had been providing free breakfasts for children, free clothing, free medical care. They had not been infected by any experience of the Panthers' practice, and it did not strike them as strange that the Panthers engage in wild gunfights armed either with blanks or disappearing bullets.

"If a pig breaks into my house," said Chaka Wells, Black Panther Deputy Minister of Information on a tape played at the inquest, "I'm gonna treat him like a criminal."

Mark Clark and Fred Hampton never got the chance. But the police did get a chance to prove that they fully deserved such treatment.

And their blue ribbon friends. The Gerbers. Now they have had the chance to dispel any remaining illusions that there can be justice for any Black Panther or any black person fighting for liberation in this country.

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